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C O N F I D E N T I A L SECTION 01 OF 02 YEREVAN 000700

SIPDIS

STATE FOR DRL AND EUR/CARC

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TAGS: [PHUM](#) [PGOV](#) [AM](#)  
SUBJECT: ARMENIAN GOVERNMENT INTRODUCES RESTRICTIVE  
AMENDMENTS TO NGO LAW

REF: A) YEREVAN 451 B) YEREVAN 645

YEREVAN 00000700 001.2 OF 002

Classified By: DCM Joseph Pennington. Reason 1.4 (b/d).

#### SUMMARY

1. (SBU) On September 23 the GOAM approved proposed changes to the Law on Public Organizations (NGO law) which, if adopted by the Parliament, threaten to restrict significantly the rights of NGOs and increase government control of their finances. There were no public discussions held with the NGO community before drafting of the amendments, and it took everyone by surprise, including the Ombudsman (who learned about the proposed changes from us). These measures come at a busy time for Armenia, when all eyes are fixed on developments in the Turkish-Armenian rapprochement process. The proposed amendments follow closely on the heels of the criminal prosecutions of several civic activists, and appear to be an effort by the GOAM to tighten control over the NGO community. END SUMMARY.

2. On September 23, the GOAM approved draft changes to the NGO law. The amendments were proposed by Minister of Justice Gevorg Danielian, who claimed to be acting in response to NGO requests to improve the existing law. Following government approval, the draft will now be sent to Parliament. There is no information yet available on the timeframe by which Parliament will proceed with the draft.

#### CRUX OF THE CHANGES AND RESTRICTIONS

3. (SBU) There are two primary changes to the law that are being proposed: 1) NGOs will be required to re-register their organizations every time a change in leadership occurs, and 2) NGOs will be required by April 1 of each year to publish in a newspaper (with circulation of no less than 1,000) information on sources of income; expenditures by category; all transactions above one million drams (about USD 2,600); activities to implement the chartered goals; number of members each month; names of people involved in the leadership of the organization; all changes in leadership. Organizations would also be required to publish information about their tax payments. In case of a failure to fulfill these requirements, or in cases of providing false/inaccurate information, any member of the organization, third party or the authorized government body (Ministry of Justice) may request to convene a general meeting of the organization or in case of the failure to do so, file a court complaint with the same demand.

¶4. These changes threaten to impose significant administrative burdens on NGOs. The provision requiring re-registration would introduce corruption risks every time a NGO would need to re-register, and would give the GOAM effective veto power over the organization's selection of leaders. The disclosure provisions would impose requirements that do not apply to commercial organizations. While both are required to file tax returns, only NGOs would be required to publish them in newspapers or provide detail about their finances and operations in such a public manner.

NGOS TO TAKE ACTION ... SOON  
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¶5. (SBU) The NGO community was caught largely by surprise by these proposed changes, and most are still unaware of them. Some, however, are beginning to spread the word and prepare to resist this new legislation through public discussions and letters. The Human Rights Defender (Ombudsman), Armen Harutyunian, was also caught completely unaware, and heard about the development from our PolFSN at a September 30 meeting. He expressed surprise that the draft had not been submitted to him for review, since according to a July 18, 2007 governmental decree, all drafts relating to human rights and freedoms must be passed by him for an opinion. He was worried by the negative reactions these proposed revisions might cause, and promised to look into the issue. The press also has been silent on the proposed amendments.

COMMENT  
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¶6. (C) With this draft law, Armenia looks to be taking another page from the Russian playbook. Together with other recent assaults on civic activism (e.g. the trumped-up arrest

YEREVAN 00000700 002.2 OF 002

of Helsinki Association member Arshaluis Hakobian, the absurd criminal investigation into whistleblower Mariam Sukhudian - reftels), this NGO law represents an acceleration of a worrisome trend. The architects of the legislation may be calculating that the international community is too distracted by Turkish-Armenian rapprochement to bother protesting the measure. We will disabuse them of that notion. Coordinating with other like-minded missions and international organizations, we plan to raise our concerns with the leadership in Parliament and the Presidency at the earliest opportunity.  
YOVANOVITCH